

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER D-70-33  
Relating to Exemptions Under Section 27156  
of the Vehicle Code

MALLORY, INC.  
MAGNETIC BREAKER IGNITION DISTRIBUTORS

Pursuant to the authority vested in the Air Resources Board (ARB) by Section 27156 of the Vehicle Code; and

Pursuant to the authority vested in the undersigned by Sections 39515 and 39516 of the Health and Safety Code and Executive Order G-45-9;

IT IS ORDERED AND RESOLVED: That the installation of the Magnetic Breaker Ignition (MBI) distributors, manufactured by Mallory, Inc. of 550 Mallory Way, Carson City, Nevada 89701, has been found not to reduce the effectiveness of the applicable vehicle pollution control system, and therefore, the MBI distributors are exempt from the prohibitions of Section 27156 of the Vehicle Code for installation on the following vehicles:

1. 1979 and older model-year Ford vehicles excluding the following:
  - a. Ford vehicles equipped with 4-cylinder engines.
  - b. Ford vehicles equipped with Electronic Engine Control II.
  - c. Ford vehicles equipped with vacuum retard ignition systems.
2. 1984 and older model-year General Motors Corporation vehicles using High Energy Ignition system and non-closed loop carburetion systems.

This Executive Order is valid provided that installation instructions for the device will not recommend tuning the vehicle to specifications different from those submitted by Mallory, Inc.

Changes made to the design or operating conditions of the device, as exempt by the ARB, which adversely affect the performance of a vehicle's pollution control system shall invalidate this Executive Order.

Marketing of the device using an identification other than that shown in this Executive Order or for an application other than those listed in this Executive Order shall be prohibited unless prior approval is obtained from the ARB. Exemption of a kit shall not be construed as an exemption to sell, offer for sale, or advertise any component of a kit as an individual device.

This Executive Order does not constitute any opinion as to the effect the use of the device may have on any warranty either expressed or implied by the vehicle manufacturer.

THIS EXECUTIVE ORDER DOES NOT CONSTITUTE A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY THE AIR RESOURCES BOARD OF ANY CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF MALLORY, INC.'S MAGNETIC BREAKER IGNITION DISTRIBUTORS.

No claim of any kind, such as "Approved by the Air Resources Board", may be made with respect to the action taken herein in any advertising or other oral or written communication.


Section 17500 of the Business and Professions Code makes untrue or misleading advertising unlawful, and Section 17534 makes violation punishable as a misdemeanor.

Section 43644 of the Health and Safety Code provides as follows:

"43644. (a) No person shall install, sell, offer for sale, or advertise, or, except in an application to the state board for certification of a device, represent any device as a motor vehicle pollution control device for use on any used motor vehicle unless that device has been certified by the state board. No person shall sell, offer for sale, advertise, or represent any motor vehicle pollution control device as a certified device which, in fact, is not a certified device. Any violation of this subdivision is a misdemeanor."

Any apparent violation of the conditions of this Executive Order will be submitted to the Attorney General of California for such action as he deems advisable.

Executed at El Monte, California, this 22<sup>nd</sup> day of June 1995.

  
R. B. Summerfield  
Assistant Division Chief  
Mobile Source Division